

REMARKS

Claims 20-25, 27 and 28 are pending.

I. Specification and Abstract

The specification and abstract stand objected to for a variety of formal matters. In response, the abstract and specification have been amended in accordance with the Examiner's suggestions.

II. 35 USC § 102

A. Serino et al.

Claims 20-22, 24 and 25 stand rejected under 35 USC § 102(e) as allegedly being anticipated by Serino et al. (U.S. Patent No. 6,357,197). The Office Action asserts that Serino et al. expressly teaches each feature recited by the rejected claims.

Initially, Applicants respectfully present that Serino et al. does not teach each feature recited by at least independent claim 20. For example, the present claims recite a "depressed groove," such as what is shown in the present specification at reference number 20 in each of Figs 1d and 3d. In contrast, no groove of the cited reference includes any depressed section.

Additionally, the reference does not teach or suggest a "system for forming a surface comprising a plurality of boards." Serino et al. does, in fact, teach a structural member used in the manufacture of commercial and residential architecture (Abstract).

B. Martensson et al.

Claims 20, 21, 23 and 25 stand rejected under 35 USC § 102(e) as allegedly being anticipated by Martensson et al. (U.S. Patent No. 6,421,970). The Office Action asserts that Martensson et al. teaches each feature recited by the rejected claims.

The Office Action apparently asserts that although the cited reference does not teach or suggest both milling and broaching steps in the formation of the tongue and/or groove, such a

product-by-process feature fails to distinguish the structure of the claim from that which is disclosed by Martensson et al.

In response, Applicant respectfully submits that the claims are not “product-by-process” claims, but rather recite structural features which *do* distinguish structurally over the cited reference. Milling alone forms a surface which is not finely detailed. The inclusion of broaching forms a surface which is more finely featured than milling can achieve. Thus, the surfaces of the milled portion and broached portion differ from that which is disclosed by the cited reference.

Moreover, Applicants respectfully submit that the present inventor has selected a milling and broaching procedure as an improvement over the prior art, such as the invention described by Martensson et al.

As Martensson et al. does not describe how the various features are achieved, the present inventors developed the presently recited features to produce a system which, because of the required broaching step, has (1) greater variability in the size and shape of the resulting components, and (2) has a surface which is more uniform.

Thus, as the combination of milling and broaching results in a product having structure neither taught nor suggested by the cited art, Applicant respectfully present that this rejection has been overcome.

III. Conclusion

In view of the above, it is respectfully submitted that all objections and rejections are overcome. Thus, a Notice of Allowance is respectfully requested. If any fee is necessary to make this paper timely and/or complete, it may be deducted from deposit account no. 19-4375.

Respectfully submitted,



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